

**VILLAGE OF BREWSTER**

**BOARD OF TRUSTEES**

**Minutes**

**May 7, 2008**

**Attendees:**

Mayor: James Schoenig

Deputy Mayor and Trustee: Christine Piccini

Trustees: William Banks, Yoshihiko Ito, Terri Stockburger

Village Engineer: John Folchetti,

Village Counsel: Anthony Molé

Clerk & Temporary Treasurer:

**Absent:**

Peter Hansen

**Pledge to flag.**

**Public Hearing Continued – Revision to Zoning Code**

The Board of Trustees of the Village of Brewster is continuing a Public Hearing on amendment to Chapter 170 of the Code of the Village of Brewster, entitled “zoning”, which amendment will revise chapter 170 in its entirety; this day, May 7, 2008, at Village Hall, 208 Main Street, Brewster, New York. The Public Hearing is called to order at 7:30 pm by Jim Schoenig, 2<sup>nd</sup> by Bill Banks.

AYES: 5                      NAYS: 0

Per Anthony Molé – this needs to be continued one more time as all documentation was not in Village Clerk Pete Hansen’s office 5 days prior. Terri Stockburger – you’re talking about making a B3 – Michael Liguori made a suggestion to the board that at the Honda dealership and Rapp be a separate district. Leave auto sales & service in and leave that to be B4, and below would be B2 as proposed by the board. Mr. Liguori provided documentation to the Board and Village Counsel.. Mr. Liguori received Mr. Molé’s definition, and he’s making a recommendation that he’d ask the Board to consider.

Mr. Molé, one of the changes in the definitions includes trailer, and trailer parts, etc. Mr. Liguori – when crafting zoning text language you want to include as much as possible and then strike out what’s needed.

Terri Stockburger asked if there was any other public comment. Jack Gress – had stopped in to get a copy of the new draft, and it wasn’t available, do you know when it will be available. Christine Piccini – we’re trying to figure out. It will be in Pete Hansen’s office as soon as tomorrow, and when Pete’s back on Monday he can put it together.

Jim Schoenig motions to continue the Public Hearing on the Zoning Code Changes until May 21, 2008, 7:30 pm Village Hall, 208 Main Street, Brewster, NY. Bill Banks 2<sup>nd</sup>.

AYES: 5 NAYS: 0 ABSTAIN: 0

### **Regular meeting Board of Trustees**

The Board of Trustees of the Village of Brewster held a Regular Meeting on May 7, 2008 at Village Hall, 208 Main Street, Brewster, New York. The meeting is called to order at 7:37 P.M. by Mayor Schoenig, and 2<sup>nd</sup> by Terri Stockburger.

1. Correspondence - tabled
2. Fee Schedule – Jack Gress presenting
  - a. All got a copy of the report. What the committee recommends for the proposed fees for the village is based on quite a bit of study. They used as a guide fees from 27 different municipalities. In the schedule that you got, I had a chance to go over a few things with Danny Crawford. A couple of things he picked up on for me to mention, on page 2 (of 14) under the parade permit, that a police fee be added when required; and then on page 6 (of 14) we're looking at the dumpster, we didn't specify that it was equal to or less than 6 yards or less for the small and over 6 yards for the large (per day price). The theory behind it was to reimburse for loss of parking spaces. Right now it's not distinguished between on yards or in the street. The resolution doesn't stipulate private property or on the streets. The fee is already part of the village fees right now; we just brought it over to the schedule. Rummage sale / tag sale – we don't have a time limit on it – we need to specify a time limit, we believe it's meant to be a 2-3 day limit, so the fee would be by tag sale, not by day.  
Yoshi Ito – I'm confused – each of these fees are already in place already?  
Jack – yes. The taxi cab fee was changed to \$75, and the license fee is \$50 to expiration date. Do you want to charge a fee to replace a lost operator's license? Barbara Jewel advised that nobody has come in that they lost their taxi operator's license – so not worth charging for it, the annual fee is \$75, so if they lose it, they can apply for new one.  
Page 7 – street excavation and road opening fee is \$250 – we're not changing it. Bob Serino had us transfer the jurisdiction of that

fee to DPW (Department of Public Works) not the building department where it is now. Danny wants to know if we are requiring a bond for road opening.

John Folchetti – we absolutely should.

Jack Gress – same question for curb cut permit. The Town requires a \$2K bond for a curb cut.

Anthony Molé – you can't put a line item in; it would be in the statute itself, not in the schedule of fees.

Jack Gress – the bond fee that we have is in local law, and that we have a fee for it (back on page 6) do we need to do the same thing? Jack Gress – it's a security deposit.

Terri Stockburger - , can we just call it a security deposit?

Anthony Molé was in agreement.

Jack Gress – I'll just go through Danny's comments – page 12, a lot of the water dept. fees were left open, as we're working on updating the water rules and regulations. What Dan recommends is 1 line (no matter what size the connection is) a one time fee of \$200.

John Folchetti – if a contractor is making the connection then a bond should be required as well, if the Village is doing it, then it shouldn't.

Jack Gress – that will go into the water rules & regs. Also on the water meters; just 1 line for the price of water meter, actual cost of meter cost. Meter reading upon request, a \$50 fee. Turn off / Turn on water – cross off both those lines and next page (13) call it turn water on or off (residential or commercial; regular hours 8-4 Monday – Friday) Fee TBD; Second line item for non work hours call. Dollar amount is still needed. On page 13, water leak he's suggesting 1 line. If it's between the water main and the turn off, there will need to be a fee established after determined, when we determine the amount of water lost. Danny is saying there's no way to analyze that until you have it happen. Definitely a fee item, but needs to be defined. Jack Gress – you got my email on those other changes with the prices, and that has already been marked up. John Folchetti – I need a little more time, I will get with counsel on this to come back.

Anthony Molé – update title to schedule fees take out the year.

Jack Gress – the idea was this would be reviewed each year at the organizational meeting; and would then review it each year.

Anthony Molé, but if there are no changes without the date you don't have to do anything, with the year on it they would need to make the change just to change the year.

Christine Piccini – the original intention was to implement so we can start to use the fee schedule. The discussion that went on tonight, if we take the recommendations that Jack has provided, can we make a resolution? Christine Piccini – we can adopt it as it

is now, and then make amendments and updates when there are changes.

Anthony Molé – yes.

Terri Stockburger has questions on page 3 of 14 regarding building permit schedules – it says \$40 per square foot, so for 100 square feet it's \$4000 then multiply by 5.

Jack Gress – Bob Serino led how he wanted it to be structured, we've worded it multiple times and each time it was misunderstood.

Jack Gress – I'm willing to make any changes that makes it simple and easy to understand.

Christine Piccini – although in truth the way it will play out, they are going to come in and will say what is my permit going to cost, and Bob will be the one that says what it is going to cost, it's not the individual getting the permit coming in to figure it out. There is already a form that Bob will use. Garage & deck are different fees per thousand. Other can be a construction costs fee. The way we have it is the way Patterson & Poughkeepsie do it.

Rick Stockburger, if you have multiply by area it might be clearer.

Christine Piccini – I think not to make changes to the document tonight, not to do anything that impedes it getting into play as soon as possible.

Jim Schoenig – we can adopt the resolution for the fees schedule tonight, then revisit it to make any changes. The more we wait on it the more money we lose that we could be collecting.

Bill Banks – I want to make sure we are going to revisit it as there's some items that I have questions on.

Resolution No. 050708-1 for the adoption of Fee Schedule 2008 as written by our Village Attorney.

Motioned by Jim Schoenig, Seconded by Christine Piccini

AYES: 5 NAYS: 0 ABSTAIN: 0

Jim Schoenig – Jack on behalf of the Village and the Board I want to thank you and your committee for the painstaking task that you took on.

Jack Gress - once we write our report the fee schedule committee is done.

Jim Schoenig any changes will be done by the Village Clerk.

3. Review Infrastructure projects (Cassidy) – John Folchetti  
We've been talking for 2 months to undertake additional sidewalk work.  
Total cash reserve is \$215,000 – it's roughly \$185000 in costs with what

we need to accomplish. I'm looking for a yes or no, either they're going to finish this, or they are going to wrap it up and get out.

Jim Schoenig— so the money you're giving us the connections that have to be done are taken out?

John Folchetti – yes.

Jim Schoenig - If we go out to bid this again, we're going to pay mobility costs.

John Folchetti – it's much cheaper we're working on costs that are 18 months old, otherwise we have to go out and rebid, which increases engineering costs. This is within the scope of the current contract, and because we're under budget we can take on these additional tasks. Because they've bid concrete, etc. by the cubic yard, is by last years money.

Christine Piccini – I like the idea of authorizing this.

Jim Schoenig – dollar wise this makes sense.

Yoshi Ito – I'm surprised that North Main Street, the flooding problem is still to be dealt with.

John Folchetti – we haven't authorized the changes. It depends what we select to do. We will back bill LAWS for this expense as it's based on the damage they did.

Bill Banks – because I worked with Cassidy – I want to recuse myself from a vote to avoid any potential view of impropriety.

Jim motion to proceed with Cassidy to do work as directed by the Village Engineer per his April 24, 2008 memo. Terri Stockburger 2nds

AYES: 4      NAYS 0      ABSTAIN: 1

#### 4. Authorization for Mayor to sign STES agreement

This was authorized by Mayor Degnan that the Board approved by resolution last October.

Anthony Molé – The Board does not need to make a resolution, as that was already done, it only needs the Mayor's signature.

We need the board to authorize Mayor Schoenig to sign.

Yoshi - was there a reason it hadn't been signed. It has fallen through the cracks. They've been operating and getting paid without a signed contract.

Motion by Terri Stockburger for the Mayor to sign the STES agreement, Seconded by Christine Piccini.

AYES: 5 NAYS: 0 ABSTAIN: 0

5. Newsletter local law discussion – set public hearing

Anthony Molé – We need to set the date of public hearing and ask Pete Hansen to notice it. It's the enactment of a new chapter, I'll work with Pete. How often does the board want to do it?

Terri Stockburger replied quarterly.

Christine Piccini – do we then have to do it quarterly or can we do it more or less.

Anthony Molé – I'll put in language so it there will be more flexibility. Decision based on conversation to call it periodic newsletter as it would go

Resolution 050708-2 Schedule public hearing based on Anthony Molé's resolution received on May 7, 2008, by Pete Hansen's email . Public hearing to be set for May 21, 2008 at 7:30 pm at Village of Brewster Town Hall, 208 Main Street, Brewster, NY 10509

5 Taxi Law revision discussion – additional insured, medallion

Anthony Molé – same thing you have a resolution, you need to set a public hearing and Pete Hansen needs to notice. Are we amending chapter 150 or 236.

Jack Gress – it doesn't exist yet as 236.

Anthony Molé so we'd have to amend 150.

Jim Schoenig the only change we're making on this was for additional insurance.

Anthony Molé adds and the village owning the medallion's.

Jim Schoenig– so we can ask for surrender of them. It's something the insurance company's can do, but they are just hesitant.

Jim Schoenig it's a blanket for us, as you know we're going to be sued anyway, if there's a problem.

Anthony Molé, do we need to do it now, or just wait for the zoning to change. I'll put it together, and you can make it by resolution.

6. Cable Service public hearing on May 21

Anthony Molé – what this is to negotiate a new franchise agreement you need to have a public hearing.

Jim Schoenig motions to set the Cable public hearing for May 21, 2008 at 7:30 pm at the Village of Brewster Town Hall, 208 Main Street, Brewster, NY 10509. Bill Banks 2<sup>nds</sup>.

AYES: 5 NAYS: 0 ABSTAIN: 0

7. Set worksession date(s) for sewer and water rates

Christine Piccini – what is our goal for changing or leaving the same rates?

Terri Stockburger – Pete Hansen is going to have to answer that.

Christine Piccini – we don't want to change the rate in the middle of a billing cycle, we want to work to make these changes as readings are happening.

Jim Schoenig – let's table this discussion until May 21, 2008 when Pete Hansen is back

9. Voucher's payable:

Total of \$47, 971

Jim Schoenig motions to pay vouchers payable of \$47, 971.94 consisting of

- i. G - \$1,159.25
- ii. F - \$8,232.95
- iii. A - \$38,579.74

Bill Banks 2nds.

AYES: 5 NAYS: 0 ABSTAIN: 0

10. New Business:

Christine Piccini – to whom should we speak to find out if it might be a good idea to have a slower speed limit on Garden Street.

Christine Piccini – it's not posted, so isn't it the village speed limit.

Anthony Molé – it's set in state law that you can go down lower.

Jim Schoenig – do we need to set a public hearing for that?

Bill Banks – it's a fine idea let's talk about it.

Yoshi Ito – it's 20.

Christine Piccini – then it needs to be posted. T

Terri Stockburger – I think it needs to be enforced if it's already 20.  
Jim Schoenig – I'll talk to Danny tomorrow about getting a sign posted.

Jack Gress – I believe you can request that the Sheriff bring one of those signs over that blinks and says your speed.

Jim Schoenig - we were just granted a radar unit from Putnam County, so that is on it's way.

Christine Piccini – my other question – did we do something about this request for an extra trash can? That came in on April 21. Do we have?

Jim Schoenig – Danny Crawford has had some cans with the intent that with the park opening they'd get put there.

Christine Piccini – we got e-mailed a cleaned up version of the mission statement from the police department, do we need to do anything with it.

Anthony Molé – that is something the Police Department would resolve, but you can accept it. Wait to get final word from them that it is their final mission statement.

Christine Piccini the last thing was the American Legion Commander was supposed to show up at this meeting. I know that Ron went to ask for funding, and if he got funding from the town, he was not coming back here. I understand that the Town gave him more than he asked for.

Jim Schoenig – Alex has spoken to the MTA and they don't have a problem with us enforcing on their property. We need to put something in writing so it's not just the chief talking.

Anthony Molé is to put something in writing to send to the MTA (Alex's contact).

Yoshi Ito –where is the ticket payable to?

Denis Castelli – when the tickets are written by the Brewster PD, the monies will be payable here. The land of the triangle, and where the pavers are - are deeded to the Village of Brewster. We are doing parking in the first 5 spaces north of the station, where it is merchant parking.

Mr. Degnan – the pine tree on the right is dead.

Denis Castelli – it is being handled. They are under warranty from the initial installation, and they are going to be replaced under that warranty. Metro North does water that area.



Richard Ruchala – first as Putnam County Chairman of the Empire Zone is the May 29, conference. Please tell everyone, especially the not for profits, and I'll be going through the Village, and letting them know. This is important, and that would be helpful.

Yoshi Ito advised Richard Ruchala to apply in writing, in advance, for any monies he's looking to spend from the Empire Zone line item in the Brewster Village Budget.

Second, As chairman of the Zoning Board, we ask for Claire Kropkowski. Yoshi Ito - can we have the letter of interest forwarded to Peter Hansen, and he can swear her in.

David Kulo (Planning Board Chairman) – I had a brief conversation with Guy, he has a good background that would be suitable for the planning board. I recommend to the Board that you consider his application. I think he's definitely interested.

Jim Schoenig – if you're alright with it, I'll make the motion that we appoint Guy Cilenti to the planning board, 2<sup>nded</sup> by Yoshi Ito

AYES: 5 NAYS: 0 ABSTAIN: 0

Jim Schoenig (to David Kulo and Richard Ruchala) – are both of you set up with John Folchetti for the 4 hours required? Rick Ruchala – yes, I just found out about it and we're trying to get set up for it. It's good that we get the requirements in now then if we double up later it's good too.

Terri Stockburger – did he advise of the topics of the education? Rick Ruchala – I'll find out in about an hour.

Yoshi Ito – before the new police deployment starts on June 1, 2008, will you be giving us the staffing schedule.

Jim Schoenig – yes, Alex is working on it.

Denis Castelli - I got the word from KC Anderson and she came out of a rotary meeting and Founders day will be October 5 (the week before Columbus day).

Terri Stockburger – Pete Hansen had sent out an email asking for volunteers to run this.

John Degnan - Can I ask that the board appoint someone to get in touch with John Tully, and get in touch with Verizon to see if FIOS is an option, and

perhaps get them bidding. I think first you have to determine if Verizon intends to put the fiber into the village, I know it was slated for last year. Jan Stark – I was told by Verizon that they plan to have that put in within the next 12 months.

Christine Piccini – this is information that we'd like to hear at the public hearing.

John Degnan – John Tully can provide all the local contacts.

Terri Stockburger – John Tully would have the FIOS contacts?

John Degnan – yes he would have the engineers, etc. that would be responsible for making it happen here.

Mayor Schoenig to contact him.

Jim Schoenig motions to adjourn the meeting at 8:52 pm. Terri Stockburger seconds.

AYES 5

NAYS: 0

ABSTAINS: 0